

FORM PTO-1390  
(REV 07-2005)

ATTORNEY DOCKET NUMBER

5000-5300

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/567531**INTERNATIONAL APPLICATION  
PCT/JP2005/005706INTERNATIONAL FILING DATE  
March 28, 2005PRIORITY DATE CLAIMED  
April 13, 2004

TITLE OF INVENTION

CARGO HANDLING APPARATUS OF CARGO HANDLING INDUSTRIAL VEHICLE

APPLICANT(S) FOR DO/EO/US

Norihiko KATO and Masaru SUGAI

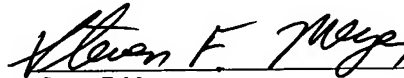
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected. (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or Information:  
International Search Report; First page of published application; Paper copy of PCT-Safe Easy Request; and Return Receipt Postcard.

U.S. APPLICATION NO. <b>107567531</b> TBA		INTERNATIONAL APPLICATION NO. PCT/JP2005/005706		ATTORNEY'S DOCKET NO. 5000-5300	
				CALCULATIONS	PTO USE ONLY
The following fees have been submitted					
21. <input checked="" type="checkbox"/> <b>Basic national fee</b> ..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> <b>Examination fee</b> If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33 (1)-(4)..... \$0 All other situations..... \$200				\$ 200.00	
23. <input checked="" type="checkbox"/> <b>Search fee</b> If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1) - (4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500				\$ 400.00	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 900.00	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
32 - 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	11 - 20 =		x \$50.00	\$	
Independent claims	1 - 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 900.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 900.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$ 900.00
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-4500</u> (5000-5300) in the amount of \$900.00 to cover the above fees. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-4500</u> (5000-5300). A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: Enter Address Here <b>Customer Number 27123</b> Steven F. Meyer, Esq. Morgan & Finnegan, L.L.P. 3 World Financial Center New York, NY 10281-2101					

  
 Steven F. Meyer

35.613

REGISTRATION NUMBER

IN THE UNITED STATES


 RECEIVING OFFICE (RO/US) 06 FEB 2006  
 DESIGNATED OFFICE (DO/US)  
 ELECTED OFFICE (EO/US)

INTERNATIONAL APPLICATION NO. PCT/JP2005/005706	INTERNATIONAL FILING DATE March 28, 2005	PRIORITY DATE CLAIMED April 13, 2004
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TITLE OF INVENTION  
CARGO HANDLING APPARATUS OF CARGO HANDLING INDUSTRIAL VEHICLE

APPLICANT(S)  
Norihiko KATO and Masaru SUGAI

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## Express Mail Certification

I declare that on the date indicated below I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee", bearing Label Number EV 497657425 US, addressed to the Commissioner for Patents, Box PCT (DO/EO/US), P.O. Box 1450, Alexandria, VA 22313-1450 and having an express mail certification which I executed, the following papers:

1. Transmittal Letter to the US Designated/Elected Office (DO/EO/US) Concerning a Submission under 35 USC 371;
2. Specification: 21 pps; Claims: 4 pps; Abstract 1 pp;
3. Formal Drawings: 6 sheets (Fig 1-6);
4. Information Disclosure Statement;
5. PTO Form 1449 and cited references;
6. International Search Report;
7. Declaration;
8. Assignment and Assignment Recordation;
9. Copy of PCT Easy Request;
10. First page of published application;
11. Return receipt postcard

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Albert Isles

(Typed or printed name of person making this verified statement)



(Signature of person making this verified statement)

February 6, 2006

Date